



VBW 5611  
PATENT

CJE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent of: Elkington  
Patent No.: 6,938,913 B2  
Issued: September 6, 2005  
For: SNOWBOARD BINDING

Certificate  
OCT 14 2005  
of Correction

October 6, 2005

REQUEST FOR EXPEDITED ISSUANCE  
OF CERTIFICATE OF CORRECTION UNDER 37 CFR 1.322

TO THE COMMISSIONER FOR PATENTS,

SIR:

On studying the above-identified patent, the following errors, apparently made by the Patent and Trademark Office, were found (these errors are also noted on the attached form PTO-1050):

Column 4, line 38: "wide" should read - - side - - -.

REMARKS

In accordance with 37 CFR 1.322, a copy of Amendment A, dated March 2, 2005, and a copy of the Notice of Allowance dated May 17, 2005, are attached.

We respectfully request that a certificate of correction be issued.

Respectfully submitted

Michael G. Munsell, Reg. No. 43,820  
SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

OCT 17 2005

VBW 5611  
PATENT

CERTIFICATE OF MAILING

I hereby certify that the foregoing Letter to the Patent and Trademark Office in the patent of Elkington, Patent No. 6,938,913 B2, issued September 6, 2005 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Post Issue, Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 10th day of October, 2005.

  
\_\_\_\_\_  
Christie L. Hartmann

MGM/clh  
\*Enclosure

OCT 17 2005

OCT 17 2005

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,938,913 B2

DATED : September 6, 2005

INVENTOR(S): Elkington

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 4, line 38: "wide" should read - - - side - - -.

MAILING ADDRESS OF SENDER:

Senniger Powers  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102

PATENT NO. 6,938,913 B2

No. of additional copies

⇒ 2

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 17 2005

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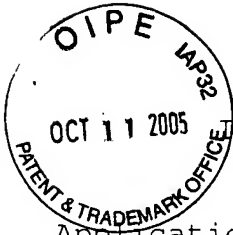
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OCT 17 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mark Elkington  
Serial No.: 10/705,584  
Filed: November 10, 2003  
Confirmation No.: 4283  
For: SNOWBOARD BINDING  
Examiner: Hau Van Phan

Art Unit: 3618

March 2, 2005

AMENDMENT A

TO THE COMMISSIONER FOR PATENTS,

SIR:

In response to the Office action mailed December 2, 2004, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

OCT 17 2005

Amendments to the Claims

1. (Currently amended) A snowboard binding for fastening a boot to a snowboard comprising:

a support structure,  
a heel element attached to the support structure,  
an instep element attached to the support structure for at least partially covering a top side of the boot,  
tension cables for attaching the instep element to the support structure, and  
a tensioning device for tightening and loosening the tension cables;

said instep element being sized and shaped for extending at least from a toe region of the boot to an instep region of the boot, the instep element being attached in the toe region and in the instep region to the support structure by the tension cables,

said tensioning device being attached to the support structure independent of the heel element,

said tensioning device having a rotatable winding spindle on which the tension cables can be wound and a locking device for locking the winding spindle,

said locking device being a pivoting lever with several hooks on which a loop of the tension cables can be secured.

2. (Original) A snowboard binding as set forth in claim 1 wherein the tension cables are attached to one side edge of the instep element.

Claims 3-5. Cancelled.

6. (Currently amended) A snowboard binding for fastening a boot to a snowboard comprising:

a support structure,

a heel element attached to the support structure,  
an instep element attached to the support structure for at least partially covering a top side of the boot,  
tension cables for attaching the instep element to the support structure, and  
a tensioning device for tightening and loosening the tension cables;

said instep element being sized and shaped for extending at least from a toe region of the boot to an instep region of the boot, the instep element being attached in the toe region and in the instep region to the support structure by the tension cables;

said tensioning device being attached on the instep element independent of the heel element;

said tensioning device having a rotatable winding spindle on which the tension cable can be wound and a locking device for locking the winding spindle;

said locking device being a pivoting lever with several hooks on which a loop of the tension cables can be secured.

7. (Original) A snowboard binding as set forth in claim 6 wherein the tension cables is attached to one side edge of the instep element.

Claims 8-10. Cancelled.



REMARKS

Claims 1 and 6 have been amended. Claims 3-5 and 8-10 have been cancelled. Claims 1, 2, 6, and 7 will be pending upon entry of this amendment.

The following remarks are responsive to the Office action dated December 2, 2004.

Claims 5 and 10 were objected to in the Office action but indicated as being allowable if written in independent form. Claims 5 and 10 have therefore been rewritten in independent form as claims 1 and 6, respectively. The rewritten claims, and their respective dependent claims, are allowable.

Conclusion

In view of the foregoing, allowance of the application is respectfully requested.

Applicant does not believe that a fee is due in connection with this response. If, however, the Commissioner determines that a fee is due, he is authorized to charge Deposit Account No. 19-1345.

Respectfully submitted,



Michael G. Munsell, Reg. No. 43,820  
SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

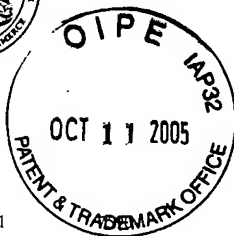
MGM/clh

Via Facsimile - 703-872-9306

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www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

000321

05/17/2005

m6m/PIF

SENNIGER POWERS LEAVITT AND ROEDEL  
ONE METROPOLITAN SQUARE  
16TH FLOOR  
ST LOUIS, MO 63102

EXAMINER

PHAN, HAU VAN

ART UNIT

PAPER NUMBER

✓3618

DATE MAILED: 05/17/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
✓10/705,584	✓11/10/2003	✓Mark Elkington	✓VBW 5611	✓4283

TITLE OF INVENTION: SNOWBOARD BINDING ✓

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO ✓	\$1400	\$300	\$1700	08/17/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

I. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

II. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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MAY 20 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,584	11/10/2003 ✓	Mark Elkington ✓	VBW 5611 ✓	4283 ✓
000321	7590	05/17/2005 <i>m&amp;m / PIF</i>		
SENNIGER POWERS LEAVITT AND ROEDEL ONE METROPOLITAN SQUARE 16TH FLOOR ST LOUIS, MO 63102				
EXAMINER				
PHAN, HAU VAN				
ART UNIT				
PAPER NUMBER				
3618 ✓				
DATE MAILED: 05/17/2005				

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
 (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

OCT 17 2005

mmmm



# Notice of Allowability

Application No.	Applicant(s)	
10/705,584	ELKINGTON, MARK	
Examiner	Art Unit	
Hau V Phan	3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to 3/16/2005.
- ☒ The allowed claim(s) is/are 1,2,6 and 7.
- ☒ The drawings filed on 10 November 2003 are accepted by the Examiner.
- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - ☒ All
  - ☐ Some\*
  - ☐ None of the:
    - ☒ Certified copies of the priority documents have been received.
    - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  - ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____   |

*Hau V Phan*  
*4/10/05*

Hau V Phan  
Primary Examiner  
Art Unit: 3618

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